

Appln. No.: 10/521,105  
Amendment Dated: January 19, 2007  
Reply to Office Action of: November 15, 2006

MAT-8647US

**Remarks/Arguments:**

Claims 12-16 and 18-20 are now pending in the application. Claims 1-11 have been cancelled. Claims 12-15 and 20 (which was added as a new claim in Applicant's Response dated September 19, 2006) are withdrawn. Therefore, claims 16, 18 and 19 are currently being prosecuted. Applicant notes that while none of the pending claims have been amended, the listing of claims is provided to indicate that claim 20 is withdrawn.

The Office Action has objected to the title of the invention as not descriptive of the invention. As suggest by the Office Action, Applicant has amended the title to recite; "A Refrigerator Containing Thermal Insulation Material And A Discriminating Means." Applicant submits that, with this amendment, the objection to the title has been overcome.

Claims 16, 18 and 19 are rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,989,371 ("Nishimoto") in view of U.S. Patent No. 5,699,525 ("Embutsu"). Claims 16, 18 and 19 are also rejected under 35 U.S.C. § 103(a) as unpatentable over Nishimoto and U.S. Patent Application Publication No. 2001/003976 ("Uekado"). Applicant respectfully traverses these rejections and submits that the currently pending claims are patentable over the cited references for at least the reasons set forth below.

**Features of Independent Claims 16**

Applicant's invention, as recited by independent claims 16, includes features which are neither disclosed nor suggested by the cited references, namely:

***a discriminating means, the discriminating means recording information that the thermal insulation material contains the vacuum insulation material, a weight value of the inorganic***

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***material and a weight value of the rigid urethane foam.***  
(emphasis added).

As claimed in independent claim 16, Applicant's claimed invention includes a discriminating means. The discriminating means, as disclosed in Applicant's specification, may be, for example, a control display panel or a bard code, which indicates that the refrigerator contains vacuum insulation material. (page 37, line 23 to page 38, line 6). Moreover, the discriminating means records a weight value of the inorganic material and a weight value of the rigid urethane foam. Thus, the claimed discriminating means, including the specified information recorded by the discriminating means, is important to enable mixed waste materials, such as those including both inorganic material and rigid polyurethane foam material, to have a uniform quality.

#### **Rejections Based on Nishimoto in view of Embutsu**

The Office Action rejects independent claim 16 as obvious over Nishimoto in view of Embutsu. The Office Action asserts that Nishimoto teaches the claimed refrigerator structure, but admits that Nishimoto does not further include a discriminating means associated with the refrigerator structure. The Office Action contends that Embutsu discloses that it was known in the art to utilize a discriminating means, such as a bar code label, in association with an appliance, such as a refrigerator, so as to obtain information related to the appliance, *i.e.* kind or type, so as to determine the proper method of recycling the appliance. (See Office Action, page 3).

Applicant contends that the invention claimed in claim 16, however, differs from the device of Embutsu because Embutsu does not teach, disclose or suggest a discriminating means that records information including that the thermal insulation

material contains vacuum insulation material, a weight value of the inorganic material and a weight value of the rigid urethane foam. This information is ultimately used to produce a recycled product having a uniform percentage of inorganic material content. In other words, the discriminating means as claimed in claim 16, by recording the weight value of the inorganic material and the weight value of the rigid urethane foam, allows the efficient changing of the method for processing the refrigerator to produce a uniform quality recycled product. Recording weight values of the respective materials allows adjustments to be made and calculations to be performed based on this recorded information to ensure a uniform quality recycled product.

Embutsu, in contrast, does not teach, disclose or suggest a "discriminating" device with these features. As disclosed in Embutsu, the purpose of bar code label of Embutsu is to distinguish recycling-promoting appliances from those without labels. (see col. 6, lines 31-33). Thus, contrary to Applicant's invention, Embutsu merely records information to determine if an appliance is recyclable and what types or kinds of recyclable appliances should be sent to a particular recycling facility. There is no teaching, disclosure or suggestion of a discriminating means recording weight values of various materials as Applicant has claimed. Therefore, the rejection of independent claim 16 based on Nishimoto in view of Embutsu is improper.

Dependent claims 18 and 19 depend from independent claim 16, and therefore include all of the limitation of claim 16. For at least the reasons that claim 16 is patentable over the combination of Nishimoto and Embutsu, dependent claims 18 and 19 are also patentable over Nishimoto and Embutsu.

#### **Rejections based on Nishimoto in view of Uekado**

Claims 16, 18 and 19 are rejected as obvious over Nishimoto and Uekado in

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view of each other. The Office Action asserts, as noted above, that Nishimoto discloses Applicant's refrigerator structure, but does not include a discriminating means. The Office Action contends that Uekado discloses a discriminating means in the form of display labels that are placed on a refrigerator to indicate information directly related to the appliance, such as the materials of the rigid foam. (See Office Action, pages 4 and 5). The Office Action, however, admits that Uekado does not show insulation materials having both rigid urethane foam and an inorganic material. (Office Action, page 6).

Applicant contends that although Uekado teaches the use of display labels to indicate the materials of the specific rigid polyurethane foam used, Uekado does not teach a discriminating means that records weight values, as claimed in independent claim 16. Applicant contends that this is so, because Uekado merely discloses single thermal insulation type refrigerators. In other words Uekado merely discloses that its refrigerators contain only rigid urethane foam material and not vacuum insulation material, as included in the refrigerator structure claimed by Applicant. Thus, Uekado does not contemplate, or offer any teaching, disclosure or suggestion regarding, a discriminating means that would discriminate by recording the different weights of the included materials, because there would be no need to do so. Uekado merely teaches a discriminating means that identifies the type of rigid polyurethane foam insulation of a refrigerator for recycling, and not a discriminating means that records weight values, because only one type of thermal insulation is used.

In contrast, it is important that Applicant's discriminating means records the different weights of the multi-thermal insulation components, including rigid polyurethane foam and vacuum insulation materials, because the processing of the refrigerator must result in a uniform percentage of inorganic material content in the

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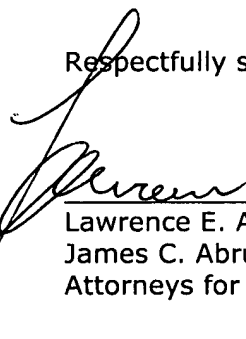
recycled product. Neither Nishimoto nor Uekado does not teach or suggest at least this feature. Therefore, Applicant contends that, because the combination of Nishimoto and Uekado do not teach or suggest all of features of Applicant's claimed invention, claim 16 is patentable over Nishimoto in view of Uekado.

Dependent claims 18 and 19 depend from independent claim 16, and therefore include all of the limitation of claim 16. For at least the reasons that claim 16 is patentable over the combination of Nishimoto and Uekado, dependent claims 18 and 19 are also patentable over Nishimoto and Uekado.

### Conclusion

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

  
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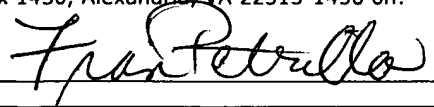
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